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10/597,879	08/10/2006	Philip Steven Newton	NL 040167	7392
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EXAMINER				
SHEHNI, GHAZAL B				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/597,879

**Applicant(s)**

NEWTON ET AL.

**Examiner**

GHAZAL SHEHNI

**Art Unit**

4171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Claim 1 objected to because of the following informalities: "said third party data object" (**line 8**) should be changed to "said third party data objects (**see line 5**)". Appropriate correction is required.

#### ***Claim Rejections – 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claim 8** rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

- The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter). Claim 8 is directed to a computer program per se. (**e.g. see applicant's disclosure page 6, line 7**).

#### ***Claim Rejections - 35 USC § 112***

Claims 1-10 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 recite the limitation "said server" in line 4. It is not sure which server applicant is referring to. There is insufficient antecedent basis for this limitation in the claim. The suggestion would be to change it to "a server" or "said servers" (see also claim 7 for similar issue). Claim 6 recites the limitation "the identification system" in line 2. There is insufficient antecedent basis for this limitation in the claim. The suggestion would be to change it to "an identification system".

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 3-5, 7-10 is rejected under U.S.C. 102(b) as anticipated by Sacks (International Publication WO 02/05231 A2)

As to claims 1 and 7, Sacks discloses

A method of restricting access to cookie information stored (**see the "buyer's identity entails receiving financial and personal data (e.g. credit card number, bank account information, address", page7, lines 29-30) and the "buyer's identity may be learned or verified through a cookie" (page5, line32), and the "user/buyer identity included in the data received with the buyer's connection (i.e. along with the details of the transaction) retrieved from a cookie as, the access restriction", page 9, lines 24-25) on a client (e.g. see buyer, page 1, line31 see also page 5, lines 8-10), said client**

(e.g. see buyer, page 1, line 31 see also page 5, lines 8-10), being communicatively connected to servers via a public communication network, wherein the client receives first party data (seller, page 2, line 1) from said server, said first party data (seller, page 2, line 1) comprising embedded links (“via an HTML link posted to the third party payment processor’s website”, page 1, line 32 and page 2, line 1) to third party data objects (third party payment processor website, page 1, lines 31-32 and page 2, line 3), where at least one of said data objects is adapted for storing client specific cookie information relating to said third party data object on said client (e.g. see buyer recognized by cookie in page 2, lines 26-29, see also user’s identification learned and verified through a cookie in page 5 lines 30-33), the method comprises the step of:

- restricting ( or means) access (page 2, lines 4-5) to said stored cookie information (see the “buyer’s identity may be learned or verified through a cookie” (page 5, line 32), and the “user/buyer identity included in the data received with the buyer’s connection (i.e. along with the details of the transaction) retrieved from a cookie as, the access restriction”, page 9, lines 24-25), whereby only third party data objects have access to said cookie information, if the third party data objects (third party payment processor website, page 1, lines 31-32 and page 2, line 3) are accessed via a link (“via an HTML link posted to the third party payment processor’s website”, page 1, line 32 and page 2, line 1) from said first party data (seller, page 2, line 1).

As to claim 3, Sacks also discloses access to the cookie file (e.g. the detail of see transaction retrieved from the cookie as a cookie file in page 9, lines 24-25)

As to Claim 4, Sacks discloses the first party data (e.g. see seller, page 2, line 1) is a web page (e.g. see seller, fig 1, 104 “may comprise any number, type or form of

**computer systems or web site, using any type of application, web or communication server” in page 5, lines 11-12).**

As to Claim 5, Sacks discloses the first party data (e.g. see seller, page2, line 1) is a broadcasted channel (e.g. see seller, fig 1,104 “may comprise any number, type or form of computer systems or web site, using any type of application, web or communication server” as a broadcasted channel in page 5, lines 11-12).

As to Claim 8, Sacks discloses Computer programme comprising instructions for programming a computer to enable the computer to execute the method of claim 1 (e.g. see the software executing or computer in page 3, lines 30-34 and page 4, line1).

As to Claim 9, Sacks discloses Computer programmed to be able for execute the method of claim 1 (e.g. see the software executing or computer in page 3, lines 30-34 and page 4, lines 1-2).

As to Claim 10, Sacks discloses Computer readable medium having stored thereon the computer programme (e.g. see page 4, line 2).

Claims 1-5, 7-10 rejected under 35 U.S.C. 102(b) as being anticipated by Blumenau (US Patent NO. 6460079)

As to claims 1 and 7, Blumenau discloses a method of restricting access to cookie information stored (e.g. see col.1, lines 35-36) on a client (e.g. see col.1, lines 35-36 and

**col. 3, line 2)** said client being communicatively connected to servers via a public communication network (**e.g. see col.2, line 67 and col.3, line1**), wherein the client receives first party data (**e.g. see websites col.3, lines 1-2**) from said server, said first party data (**e.g. see websites col.3, lines 1-2**) comprising embedded links (**e.g. see URL for each websites col.3, lines 10-11**) to third party data objects (**col.3, line 3**), where at **[least one of said data objects is adapted for storing client specific cookie information relating to said third party data object on said client]** (**e.g. see the col.4, lines 10-16 and lines 25-32 and col. 1 lines 35-36**), the method comprises the step of:

- restricting (or means) access to said stored cookie information (set cookie command),

whereby **[only third\_party data objects (http://subserverdomain.com) have access to said cookie information if the third party data objects are accessed via a link (src) from said first party data objects (the web page)]** (**e.g. see the Domain or the third party set by Set Cookie Command in col.2 line 19, col. 2 lines 24-32, col.3 lines 6-15 and col.4 lines 25-62 which only allows the domain to access the cookie set) and also (see the third party Domain Name set in src as the link by first party in col.4 lines 41-42)**

As to claim 2, Blumenau discloses the access to said cookie information is restricted [by tagging the stored cookie information with an ID of the first party data] (**see fig.4 [42], see also description of the pairing of ID with the cookies in col.4 lines 63-67 and col.5 lines 1-3**) , whereby the ID is used to ensure that only third party data objects accessed via a link from said first party data have access to the cookie information (**see col.5 lines 3-5 and col.5 lines 46-54**).

As to claim 3, Blumenau discloses a specific cookie file (**e.g. see the entire cookies and portions of cookies in col.4 lines 23-24 as a cookie file**),

As to claim 4, Blumenau also teaches first party data objects is a web page (**e.g. see html page in col.4 lines 38-56**).

As to claim 5, Blumenau also teaches broadcasted channel (**communication protocol e.g. HTTP in col.4 lines 38-56**).

As to claims 8-10, Blumenau also include computer program, computer, and computer readable medium (**e.g. web browser executing on client's computer in col.1, lines 35-37, see also the program in col.7 lines 24-28**).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Blumenau (US Patent No. 6460079) in view of Chitre *et al* (Pub. No. US 2003/0097420)

As to claim 6, limitations of parent claim 1 have been disclosed above. Blumenau does not disclose the client to be MHP client. However Chitre *et al* discloses a server/ client request response system which includes MHP client (**e.g. see col.9 [0087] line 13**). It would have



been obvious to one skilled in the art at the time of invention to use Chitre in Blumenau for including MHP client as claimed because the use of Chitre could provide Blumenau the ability for accepting specific type of media protocol, such as MHP, thereby enhancing the adaptability of the system, and one of ordinary skill in the art should be able to recognize the applicability of MHP client in server/ client environment in Blumenau.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krthapalli, Prasad *et al* (PGPUB 20020093530), is cited for the teaching of cookies use to convey financial information (page 1, 0002, lines 11-25).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GHAZAL SHEHNI whose telephone number is (571)270-7479. The examiner can normally be reached on Monday-Thursday & every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Pan can be reached on 571-272-4172. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

Art Unit: 4171

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GHAZAL SHEHNI/  
Examiner, Art Unit 4171

/Daniel Pan/  
Supervisory Patent Examiner, Art Unit 4171